

**REMARKS**

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 3, 5, 8, and 9 were previously cancelled. Claims 1, 2, 4, and 6, 7, and 10-13 are pending. Claims 1, 6, and 10 are independent, each of which is amended. The Examiner is respectfully requested to reconsider the rejections in view of the remarks set forth herein.

**Reasons for Entry of Amendments**

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment reduces the issues on appeal by placing the claims in compliance with 35 U.S.C. § 112, second paragraph. This Amendment was not presented at an earlier date in view of the fact that Applicants did not fully appreciate the Examiner's position until the Final Office Action was reviewed.

**Rejection Under 35 U.S.C. § 112, second paragraph**

Claims 1, 2, 4, and 11 stand rejected under 35 U.S.C. § 112, second paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language is not clearly understood.

In order to overcome this rejection, the Applicants have amended claim 1 to address the issue pointed out by the Examiner. The Applicants respectfully submit that the claims, as amended, particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

**Rejections Under 35 U.S.C. §103(a)**

Claims 1 and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Noe et al. (U.S. 5,494,055) in view of Miyauchi et al. (U.S. 2002/0074007) and Le Gars (U.S. 5,143,099);

claim 2 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Noe et al. and Miyauchi et al., Le Gars, and Baker et al. (U.S. 4,624,268);

claims 6-8, 10, 12, and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Noe et al. and Miyauchi et al., Le Gars, and Lowman (U.S. 2,999,520);

These rejections are respectfully traversed.

**Amendments to Independent Claim 1**

While not conceding the appropriateness of the Examiner's rejection, but merely to advance the prosecution of the present invention, **independent claim 1** has been amended to recite a combination of features, including *inter alia*

“wherein said perfume emitting layer includes a perfume material for weakening odor of sidestream smoke of the cigarette and carrier glue for carrying the perfume material, wherein the perfume material is in powder form or in grain form, wherein the opposite side edges of said outer wrapper are joined to each other by seam glue, and wherein the carrier glue of said perfume emitting layer is applied to an outer surface of said inner wrapper to form an adhesive surface constituted by the outer surface, and the perfume material of said perfume emitting layer is diffused over the adhesive surface to form a layer of the perfume material.”

Support for the amendments to **independent claim 1** can be found, for example, on page 10, line 24, to page 11, line 12.

**Amendments to Independent Claims 6 and 10**

While not conceding the appropriateness of the Examiner's rejection, but merely to advance the prosecution of the present invention, each of **independent claims 6 and 10** has been amended to recite a combination of features, including *inter alia*

“wherein said perfume material supply device includes

a glue applicator for applying glue onto the inner web to thereby make an adhesive surface, and

a diffuser for diffusing a perfume emitting material in powder or grain form over the adhesive surface of the inner web,

wherein said diffuser includes

a first brush roller rotatably located under said feeding path, for blowing up the perfume emitting material toward said adhesive surface of the inner web,

a second brush roller rotatably located downstream of said first brush roller, for removing a surplus of the perfume emitting material attached to the adhesive surface, and

a cover located over said first or second feeding path and covering a surface of the inner web opposite the first and second brush rollers."

Support for the amendments to **independent claims 6 and 10** can be found, for example, on page 11, lines 23-31.

#### **Regarding the Present Invention**

A feature of the present invention resides in that the perfume emitting layer is effectively provided between the inner wrapper (inner web) and the outer wrapper (outer web).

To embody the feature, the perfume emitting layer includes carrier glue applied to the outer surface of the inner wrapper and forming an adhesive surface, and a perfume material diffused over the entire adhesive surface.

Thus, when the inner wrapper and the outer wrapper are overlapped, the particulate perfume material in the perfume emitting layer is never interposed between the opposite side edges of the outer wrapper. Consequently, the perfume material does not hinder the adhesion of the side edges of the outer wrapper, ensuring stable manufacture of the double wrapper cigarettes.

**Regarding the Cited References**

No combination of Noe et al., Miyauchi et al., and Le Gars discloses or suggests the claimed combination of the adhesive surface and the layer of the perfume material.

In addition, in the manufacturing machine and method of the present invention, when the perfume material is applied to the adhesive surface of the inner, the back side of the web having the adhesive surface is covered with a cover, so that the traveling web is securely supported and guided by the cover. Consequently, the application of the perfume material to the adhesive surface and the removal of the surplus perfume material can be effectively performed by the first and second brush rollers, ensuring that a layer of the perfume material with a desired thickness is formed on the adhesive surface.

At least for the reasons explained above, the Applicants respectfully submit that the combination of elements as set forth in each of **independent claims 1, 6, and 10** is not

disclosed or made obvious by the prior art of record, including Noe et al., Miyauchi et al. and Le Gars.

Therefore, **independent claims 1, 6, and 10** are in condition for allowance.

**Dependent Claims**

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

### CONCLUSION

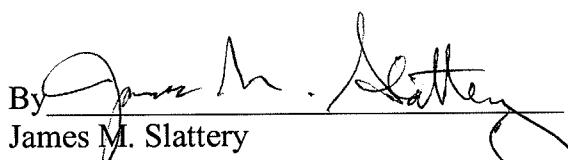
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 (direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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By   
James M. Slattery  
Reg. No. 28,380  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road, Suite 100E  
P. O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

JMS:CTT:jmc

